



13276

Pond A

January 20, 2016

Texas Commission on Environmental Quality
P.O. Box 13087 MC-160
Austin, Texas 78711-3087

Re: Water Rights Permitting -- Oasis in the Pines Pond A and Pond B

Please find attached an application for a storage right permit for recreational use.

This application is being submitted on behalf of Oasis in the Pines, LLC as a request to obtain a water right to store state water for recreational uses. The ponds were originally constructed for domestic and livestock uses. Oasis in the Pines, LLC wishes to acquire the permit for recreational use, while also continuing to use the ponds for domestic and livestock uses.

If you have any questions, regarding this application please do not hesitate to contact me at (903) 297-4673.

Sincerely,
Sphere 3 Environmental, Inc.

Clint Scurlock
Environmental Scientist

Attachments

cc: file

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WATER SUPPLY DIV.
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
APPLICATION FOR PERMIT TO APPROPRIATE STATE WATER
(SECTION 11.121, 11.042, 11.085 OR 11.143, TEXAS WATER CODE)
TAC CHAPTERS 30, 50, 281, 287, 288, 295, 297 AND 299
Water Supply Division, Water Rights Permitting MC-160

P.O. Box 13087

Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-4770

(if including a check, mail directly to P.O. Box 13088, Austin, TX 78711-3088)

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

1. Applicant Information.

A. Applicant Name(s): Oasis In the Pines, LLC

Mailing Address: 1702 Willow Lake Drive

White Oak, Texas 75693

Telephone Number: 903-297-2500 Fax Number: _____

Email Address: ewf@swbell.net

B. Customer Reference Number (if issued): CN

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

C. Fees and Penalties

Applicant owes fees or penalties?

☐ Yes ☒ No

If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

D. Lienholder Information

Provide this information on the holder of any liens on any land to which the water right would be appurtenant):

None

2. Dam (structure), Reservoir and Watercourse Data.

A. Type of Storage Reservoir (indicate by checking (✓) all applicable)

☒ on-channel ☐ off-channel ☐ existing structure ☐ proposed structure* ☒ exempt structure**

* Applicant shall provide a copy of the notice that was mailed to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir, will be located as well as copies of the certified mailing cards.

** TWC Section 11.143 for uses of water for other than domestic, livestock, or fish and wildlife from an existing, exempt reservoir with a capacity of 200 acre-feet or less. Please complete Paragraph 6 below if proceeding under TWC 11.143.

Date of Construction: ~1925

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B. Location of Structure No. 1

- 1) Watercourse: Unnamed Tributary of Howell Club Lake
- 2) Location from County Seat: ~11 miles in a NE direction from Tyler,
Smith County, Texas.
Location from nearby town (if other than County Seat): ~2.5 miles in a SE direction
from Starrville, a nearby town
shown on county highway map.
- 3) Zip Code: 75792
- 4) The dam will be/is located in the Josiah Parker Original Texas Land Survey A-777 in Smith
County, Texas.
- 5) The centerline of the dam is at a bearing of N 19.6784 W, and a distance of 552 feet from the
southeast corner of the Josiah Parker Original Texas Land Survey A-777, in Smith County,
Texas, also being at Latitude 32.438484°N, Longitude 95.085868°W.
(Acquired using Trimble GPS.)

C. Reservoir:

- 1) Acre-feet of water impounded by structure at normal maximum operating level: 22.8
- 2) Surface area in acres of reservoir at normal maximum operating level: 5.7 acres

D. Drainage Area

The drainage area above the dam is 278.13 acres or ~0.43 square miles.

E. Other

- 1) If this is a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation
Service (SCS)) floodwater-retarding structure, provide the Site No. _____
and watershed project name _____
- 2) Do you request authorization to close the "ports" or "windows" in the service spillway?

☐ Yes ☒ No

3. Appropriation/Diversion Request (total amount of water needed, including maximum projected
uses and accounting for evaporative losses for off-channel storage, if applicable).

A. Appropriated water will be used as follows:

	Purpose*	Place of Use	Acre-feet per year
1)			
2)			
3)			

*If agricultural use, list crops(s) to be irrigated:

Unit, USGS 7.5 Topographic Map, etc.)

C. Location from County Seat: _____ miles in a _____ direction from _____
_____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____
direction from _____, a nearby town shown on county highway map.

D. Zip Code: _____

E. Water will be discharged into _____ stream/reservoir,
(tributaries) _____
_____ Basin.

F. Water will be discharged at a maximum rate of _____ cfs (_____ gpm).

G. The amount of water that will be discharged is _____ acre-feet per year.

H. The purpose of use for the water being discharged will be _____.

I. Additional information required:

For groundwater

- 1) Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
- 2) Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
- 3) Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
- 4) What aquifer the water is being pumped from?

For treated effluent

- 1) What is the TPDES Permit Number? Provide a copy of the permit.
- 2) Provide the monthly discharge data for the past 5 years.
- 3) What % of treated water was groundwater, surface water?
- 4) If any original water is surface water, provide the base water right number.

5. General Information.

A. The proposed _____ or existing X works will be (are) located on the land of Oasis in the Pines, LLC, whose mailing address is 1702 Willow Lake Drive, White Oak, Texas 75693

B. If an application for the appropriation is granted, either in whole or in part, construction works will begin within _____ after such permit is issued. The proposed work will be completed within _____ from the date the permit is issued.

C. A Water Conservation Plan is attached? _____ Yes X No.

D. X Interbasin transfer is not requested.

_____ Applicant requests authorization to transfer _____ acre-feet of water per year from the _____ Basin to the _____ Basin of which _____ acre-feet of water will be used for _____ purposes and _____ acre-feet of water will be used for _____ purposes.

E. _____ Bed and Banks request to transfer _____ acre-feet of water per year within the bed and banks of _____, tributary of _____ Basin.

F. Is this project located within 200 river miles of the coast? _____ Yes X No _____ Unknown

5. **Maps, plats, plans, and drawings accompany this application as required by applicable TAC Sections.**

 X Yes _____ No. Attach additional sheets.

6. X The dam(s) and reservoir(s) shown on the attached application was (were) constructed for domestic and livestock purposes and I/we elect to seek a permit under Section 11.143 of the Texas Water Code.

7. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement.

This pond was originally built for domestic/livestock use and is still being used for these purposes. We are requesting an additional storage right for recreational use for this pond.

[Signature]
Applicant Name (Sign)

Applicant Name (Sign)

Michael Clements, President
Applicant Name (Printed)
Oasis in the Pines, LLC

Applicant Name (Printed)

SWORN TO AND SUBSCRIBED before me this 21 day of January, 2016.

[Signature]
Notary Public for the State of Texas

